

California Regional Water Quality Control Board
North Coast Region

ORDER NO. R1-2003-0002
WDID NO. 1B02025RSON

WASTE DISCHARGE REQUIREMENTS

FOR

ROBERT BENSON
PRESTIGE LINCOLN MERCURY
2979 CORBY AVENUE
SANTA ROSA, CALIFORNIA

Sonoma County

The California Regional Water Quality Control Board, North Coast Region, (hereinafter the Regional Water Board) finds that:

1. Robert Benson (hereinafter discharger) submitted a Report of Waste Discharge dated February 19, 2002. The Report of Waste Discharge was completed on October 11, 2002.
2. The discharger proposes in-situ remediation of petroleum discharges to soil and groundwater from a former underground tank located at 2979 Corby Avenue in Santa Rosa, as shown on Attachment A (hereinafter site). In-situ remediation will involve the subsurface injection of treated groundwater, with the possible addition of nutrient compounds. The nutrient compounds proposed for possible injection with the treated groundwater are ammonium nitrate and trisodium phosphate.
3. In 1989, two 1000-gallon gasoline and one 300-gallon waste oil underground storage tanks were removed from the site. Soil and groundwater sampling at that time documented the unauthorized discharge of petroleum hydrocarbons at the site.
4. In 1991, approximately 2700 cubic yards of contaminated soil were excavated and removed from the site.
5. The extent of nature of soil and groundwater contamination at the site is defined by soil samples from nine soil borings and by groundwater samples from nine monitoring wells.
6. Soil and groundwater contamination remaining at the site is limited to the area beneath and immediately surrounding the on-site commercial building. Further excavation of petroleum-contaminated soil is infeasible due to the location of the existing structure.

7. In-situ remediation of petroleum-contaminated groundwater and water-bearing soils at the site will involve extracting contaminated groundwater from the shallow water-bearing zone beneath the on-site building. The groundwater will be pumped from two existing monitoring wells located within the footprint of the on-site building. The extracted groundwater will be treated with activated carbon to remove petroleum hydrocarbons and associated volatile organic compounds, aerated to enhance the level of dissolved oxygen, and re-injected into an infiltration trench at the upgradient margin of the contaminant plume. Nutrients will be added to the re-injection stream as needed to maintain specific ratios of carbon, nitrogen, and phosphorous that are optimum for the biodegradation of petroleum constituents in groundwater and saturated soil.
8. The Regional Water Quality Control Plan for the North Coast Region includes water quality objectives and receiving water limitations.

The beneficial uses of areal groundwater include:

- a) Municipal and domestic supply
 - b) Agricultural supply
 - c) Industrial service supply
 - d) Industrial process supply
9. This project is categorically exempt from requirements of the California Environmental Quality Act under Title 14, California Code of Regulations, Chapter 3, Article 19, Section 15330. The subsurface injection of nutrient enhanced treated groundwater is a minor action which will prevent further migration of existing groundwater contamination, and mitigate the ongoing threat to water quality caused by the release of petroleum fuel, a hazardous substance. The proposed cleanup activity, costing \$1 million or less, is taken to prevent, minimize, stabilize, mitigate, or eliminate the release or threat of release of a hazardous waste or substance. The injection of nutrient-enhanced treated groundwater does not require the onsite use of a hazardous waste incinerator or thermal treatment unit. The subsurface injection will occur beneath an asphalt parking area, minimizing the potential release into the air of volatile organic compounds as defined in Health and Safety Code, Section 25123.6. The proposed actions will be consistent with applicable state and local environmental permitting requirements including, but not limited to, air quality rules such as those governing volatile organic compounds and enforcement of water quality standards through adoption of waste discharge requirements by the Regional Water Board.
 10. The Regional Water Board has notified the discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations.

11. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge.
12. The permitted discharge is consistent with the antidegradation provision of State Water Resources Control Board Resolution No. 68-16. The impact on existing water quality will be insignificant.

THEREFORE, IT IS HEREBY ORDERED that the discharger, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following:

A. DISCHARGE PROHIBITIONS

1. There shall be no discharge of waste to surface waters at any time as the result of in-situ remediation of petroleum-contaminated soil and groundwater.
2. The discharge of any waste not specifically regulated by this Order is prohibited.
3. Creation of a pollution, contamination, or nuisance, as defined by Section 13050 of the California Water Code (CWC), is prohibited. [Health and Safety Code, Section 5411]
4. The discharge of waste to land that is not under the control of the discharger is prohibited.
5. The discharge of waste or the placement of contaminated material on property not specified in the report of waste discharge completed on October 11, 2002, or this Order is prohibited.
6. Contaminated soil and groundwater treatment activities in areas where access by the general public is not controlled is prohibited.
7. The remediation of soil and groundwater without appropriate permits from the City of Santa Rosa, County of Sonoma, or other agency having jurisdiction is prohibited.

B. EFFLUENT LIMITATIONS

1. The discharge shall not cause the pH of the groundwater to be changed more than 0.5 units from that which occurs naturally for more than 90 days.
2. The discharger shall not cause the concentration of nitrate as nitrogen in groundwater to exceed the California Public Health Goal (PHG) for drinking water level of 10 mg/l for more than 90 days.

3. The discharger shall not cause the concentration of ammonia in groundwater to exceed the taste and odor threshold of 500 ug/l for more than 90 days beyond the date of initial discharge(s).
4. The discharger shall not cause the concentration of intermediary compounds to exceed their respective background concentrations for more than 90 days.

C. PROVISIONS

1. A copy of this Order shall be maintained by the discharger and be available at all times to operating personnel.

2. Severability

Provisions of these waste discharge requirements are severable. If any provision of these requirements is found invalid, the remainder of these requirements shall not be affected.

3. Operation and Maintenance

The discharger must maintain in good working order and operate as efficiently as possible any facility or control system installed by the discharger to achieve compliance with the waste discharge requirements.

In the event that the remediation system is unable to operate for periods exceeding three consecutive days, or for more than four days in any week, due to:

- a) breakdown of waste treatment equipment;
- b) accidents caused by human error or negligence; or
- c) other causes such as acts of nature;

the discharger must notify the Executive Officer in writing within two weeks. The written notification shall include pertinent information explaining reasons for the remedial system failure and shall indicate the steps taken to correct the problem and the dates thereof, and the steps being taken to prevent the problem from recurring.

4. Change in Discharge

The discharger must promptly report to the Regional Water Board any material change in the character, location, or volume of the discharge.

5. Change in Ownership

In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the discharger, the discharger must notify the succeeding owner or operator of the following items by letter, a copy of which must be forwarded to the Regional Water Board:

- a) existence of this Order; and
- b) the status of the dischargers' annual fee account.

6. Vested Rights

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the discharger from his liability under federal, State, or local laws, nor create a vested right for the discharger to continue the waste discharge.

7. Monitoring

The discharger must comply with the Contingency Planning and Notification Requirements Order No. 74-51, Monitoring and Reporting Program No. R1-2003-0002 and any modifications to these documents as specified by the Executive Officer. Such documents are attached to this Order and incorporated herein. Chemical analyses must be conducted at a laboratory certified for such analyses by the State Department of Health Services.

8. Inspections

The discharger shall permit authorized staff of the Regional Water Board:

- a) entry upon premises in which an effluent source is located or in which any required records are kept;
- b) access to copy any records required to be kept under terms and conditions of this Order;
- c) inspection of monitoring equipment or records; and
- d) sampling of any discharge.

9. Noncompliance

In the event the discharger is unable to comply with any of the conditions of this Order due to:

- a) breakdown of waste treatment equipment;
- b) accidents caused by human error or negligence; or
- c) other causes such as acts of nature;

the discharger must notify the Executive Officer by telephone as soon as he or his agents have knowledge of the incident and confirm this notification in writing within two weeks of the telephone notification. The written notification shall include pertinent information explaining reasons for the noncompliance and shall indicate the steps taken to correct the problem and the dates thereof, and the steps being taken to prevent the problem from recurring.

10. This Regional Water Board requires the discharger to file a report of waste discharge at least 120 days before making any material change or proposed change in the character, location, or volume of the discharge.

Certification

I, Susan A. Warner, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, North Coast Region, on March 27, 2003.

Ordered by

Susan A. Warner
Executive Officer

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